

DRAFT – FOR COUNCIL REVIEW

Section I of the Report to the Washington Oil Spill Advisory Council:

An Analysis of Oil Spill Advisory Committees and Councils and Recommendations

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1. INTRODUCTION AND RECOMMENDATION

The following presents an overview and discussion intended to assist the Washington Oil Spill Advisory Council (Washington Council) in developing an organizational structure, initial priorities and activities, and budgetary requirements. Still in its formative stages the Washington Council requested an analysis of other oil spill advisory councils and committees to aid in that development. This report presents the analysis of the other councils and committees along with a proposed structure for the Washington Council.

With rare exception, all of the councils and committees examined are successful to varying degrees and provide a benefit to their respective regulatory systems. The ultimate success of these groups is due in large part to the commitment and vision of the members, staff, and agency personnel that participate in the councils and committees. Although each group is involved in the reduction of oil spills, the charge and purpose of each group differs, and therefore making certain groups more or less relevant for purposes of informing the Washington Council.

Based on an analysis of the identified oil spill councils and committees, the most appropriate model for the Washington Council to emulate is that of the Cook Inlet RCAC. Of the groups examined, CIRCAC is the most analogous in both purpose and size. The RCACs are charged with duties similar to those of the Washington Council. The primary difference between the roles that the RCACs and the Washington Council play is that the RCACs are explicitly charged with monitoring the environment for oil related impacts. The other councils and committees examined have less of a focus on public involvement and are not provided with a budget with which to conduct independent research.

Of the two RCACs, CIRCAC is a better fit with that of the Washington Council. It has an annual budget of approximately \$1.2 million and a staff of six. In contrast, PWSRCAC manages a staff of 16 and an annual budget of \$3 million. PWSRCAC began as a small council with a staff of two to three personnel that oversaw the work of contracts. However, with financial resources available, the council decided to expand the size of the staff to address additional issues of importance. Although the Washington Council may change as it matures and secures a more stable funding source, CIRCAC appears to be a realistic model to follow for the near future.

The Washington Council is currently supported by a volunteer Executive Director, one project analyst, and an administrative assistant. Funding was established in the amount of \$550,000 per biennium. Overhead costs are low because the Office of Financial Management currently provides office space. The current funding stream of \$225,000 per year is available on a temporary basis to aid the Washington Council in its initial creation and to allow it time to identify and locate an adequate and permanent funding stream.

In the near future, OFM will no longer be able to provide office space for the Washington Council. Other arrangements must be made. In addition, due to the heavy workload of addressing the council's requests and making the council operational, the current staff is performing at capacity. Under the current structure, the Washington Council's ability to engage

in other necessary projects and tasks, is limited. In order for the Washington Council to be successful in fulfilling its duties, it is recommended that the council:

- Secure a stable and dependable funding source;
- Identify initial priorities;
- Increase staff; and
- Form additional committees.

The following sections provide an overview of the purpose, proposed structure and priorities of the Washington Council; a more detailed examination of the public outreach component of the Alaska RCACs; and a discussion of the different councils and committees examined.

2. WA OSAC AND COMPARISON TO OTHER COUNCILS AND COMMITTEES

Of the councils and committees throughout the world that address oil spill prevention and preparedness issues, the Washington Council identified the following organizations to be examined in further detail:

- Prince William Sound Regional Citizens' Advisory Council
- Cook Inlet Regional Citizens' Advisory Council
- Sullom Voe
- California Oil Spill Technical Advisory Committee
- San Francisco Harbor Safety Committee
- Pacific States – British Columbia Task Force
- Maine Oil Spill Advisory Committee

The analysis of these organizations provides the Washington Council with a better understanding of how they are structured, their activities and accomplishments, and the budget required to support their endeavors. For purposes of comparing these organizations to the Washington Council and its potential form and function, it is necessary to present the purpose and duties of each organization.

The form and function of oil spill advisory councils and committees examined vary depending on the legislative intent behind their creation. The following section briefly presents an overview of how the different councils and committees are structured, their program objectives and funding. This information was obtained through conversations with members and staff, reports, publications, and the internet sites of the different groups.

2.1.1. Purpose & Duties

The following section presents the purpose and duties of the Washington Council. For comparison purposes, the purpose and duties of the other councils and committees examined are

presented to provide a context for understanding the program and staffing structures of these groups.

2.1.1.1. WA OSAC

The Washington Council is an advisory body¹ created for the primary purpose of maintaining “the state's vigilance in, by ensuring an emphasis on, the prevention of oil spills to marine waters, while recognizing the importance of also improving preparedness and response.”² To ensure that the Washington Council provides the Governor with a fair and balanced assessment and advice regarding Washington’s oil spill program, the legislature established that the Council be comprised of the diverse interest groups that can be influenced environmentally, socially and economically.

In carrying out its primary purpose, the Washington Council may form subcommittees and technical advisory committees,³ as well as hire a professional staff and experts to support the Washington Council’s efforts.⁴ As the Washington Council is created by statute, it is limited to utilizing committees and staff to carry out activities that fall within the scope of duties set out by the Washington Legislature. RCW 90.56.130 charges the Washington Council with the following duties:

- Early consultation with government decision makers in relation to the state's oil spill prevention, preparedness, and response programs, analyses, rule making, and related oil spill activities;
- Providing independent advice, expertise, research, monitoring, and assessment for review of and necessary improvements to the state's oil spill prevention, preparedness, and response programs, analyses, rule making, and other decisions, including those of the Northwest area committee, as well as the adequacy of funding for these programs;
- Monitoring and providing information to the public as well as state and federal agencies regarding state of the art oil spill prevention, preparedness, and response programs;
- Actively seeking public comments on and proposals for specific measures to improve the state's oil spill prevention, preparedness, and response program, including measures to improve the effectiveness of the Northwest area committee;
- Evaluating incident response reports and making recommendations to the department regarding improvements;
- Consulting with the department on lessons learned and agency progress on necessary actions in response to lessons learned;
- Promoting opportunities for the public to become involved in oil spill response activities and provide assistance to community groups with an interest in oil spill prevention and response, and coordinating with the department on the development and implementation of a citizens' involvement plan;

¹ RCW 90.56.120(1)(c).

² RCW 90.56.120(1)(b).

³ RCW 90.56.120(9).

⁴ RCW 90.56.130(1)(a).

- Serving as an advisory body to the department on matters relating to international, national, and regional issues concerning oil spill prevention, preparedness, and response, and providing a mechanism for stakeholder and public consideration of federal actions relating to oil spill preparedness, prevention, and response in or near the waters of the state with recommended changes or improvements in federal policies on these matters;
- Any other activities necessary to maintain the state's vigilance in preventing oil spills; and⁵
- By September 15, 2006, the council shall recommend to the governor and appropriate committees of the legislature, proposals for the long-term funding of the council's activities and for the long-term sustainable funding for oil spill preparedness, prevention, and response activities.⁶
- By September 1st of each year, the council shall make recommendations for the continuing improvement of the state's oil spill prevention, preparedness, and response activities through a report to the governor, the director, and the appropriate committees of the senate and house of representatives.⁷
- The Washington Department of Ecology is also tasked with consulting with a committee comprised of different groups, including the Council, to prepare and update the statewide master oil and hazardous substance spill prevention and contingency plan.⁸

These duties are broad and encompass a wide range of activities that can support improved oil spill prevention, response and preparedness in Washington. Outside of this charge, the Council is largely free to establish its priorities, goals and activities, organizational structure and size, which will be limited primarily by budget and resources.

2.1.1.2. RCACs

Of the councils and committees examined, the regional citizen advisory councils (RCACs) in Alaska are the only groups in the United States that have a notable supporting staff and operating budget. These RCACs, the Prince William Sound RCAC (PWSRCAC) and the Cook Inlet RCAC (CIRCAC) are independent non-profit organizations created pursuant to the Oil Spill Pollution Act of 1990 (OPA 90). Although they are independent of state and federal government, the scope of authority and activity of the RCACs are confined by both statutory and contractual provisions entered into between the RCACs and the regional oil industry as directed by OPA 90.

OPA 90 sets out that the two RCACs be created either through mandatory imposition of specific statutory requirements or through alternative advisory groups.⁹ The RCACs and relevant oil industry companies have elected to meet the statutory intent and requirements of OPA 90 through the creation and support of alternative voluntary groups. Both RCACs have entered into

⁵ RCW 90.56.130.

⁶ RCW 90.56.130(4).

⁷ RCW 90.56.130(5).

⁸ [RCW 90.56.60\(1\)](#).

⁹ See (o).

funding contracts with oil industry companies. In addition, the voluntary status of the RCACs is contingent upon meeting annual certification to ensure that “the organization[s] foster[] the general goals and purposes of this section and [are] broadly representative of the communities and interests in the vicinity of the terminal facilities.”¹⁰ Thus, it is important to have an understanding of the statutory goals and duties of the RCACs under OPA 90.

As conceived in OPA 90, the RCACs are charged with a broad list of duties. The statute mandates that the RCACs:

- provide advice and recommendations to the Association on policies, permits, and site-specific regulations relating to the operation and maintenance of terminal facilities and crude oil tankers which affect or may affect the environment in the vicinity of the terminal facilities;
- monitor through the committee established under subsection (e), the environmental impacts of the operation of the terminal facilities and crude oil tankers;
- monitor those aspects of terminal facilities' and crude oil tankers' operations and maintenance which affect or may affect the environment in the vicinity of the terminal facilities;
- review through the committee established under subsection (f), the adequacy of oil spill prevention and contingency plans for the terminal facilities and the adequacy of oil spill prevention and contingency plans for crude oil tankers, operating in Prince William Sound or in Cook Inlet;
- provide advice and recommendations to the Association on port operations, policies and practices;
- recommend to the Association--
 - standards and stipulations for permits and site-specific regulations intended to minimize the impact of the terminal facilities' and crude oil tankers' operations in the vicinity of the terminal facilities;
 - modifications of terminal facility operations and maintenance intended to minimize the risk and mitigate the impact of terminal facilities, operations in the vicinity of the terminal facilities and to minimize the risk of oil spills;
 - modifications of crude oil tanker operations and maintenance in Prince William Sound and Cook Inlet intended to minimize the risk and mitigate the impact of oil spills; and
 - modifications to the oil spill prevention and contingency plans for terminal facilities and for crude oil tankers in Prince William Sound and Cook Inlet intended to enhance the ability to prevent and respond to an oil spill; and
- create additional committees of the Council as necessary to carry out the above functions, including a scientific and technical advisory committee to the Prince William Sound Council.¹¹
- Scientific work. In carrying out its research, development and monitoring functions, each Council is authorized to conduct its own scientific research and shall review the scientific

¹⁰ 33 U.S.C. § 2732(o).

¹¹ (d)(6).

work undertaken by or on behalf of the terminal operators or crude oil tanker operators as a result of a legal requirement to undertake that work. Each Council shall also review the relevant scientific work undertaken by or on behalf of any government entity relating to the terminal facilities or crude oil tankers. To the extent possible, to avoid unnecessary duplication, each Council shall coordinate its independent scientific work with the scientific work performed by or on behalf of the terminal operators and with the scientific work performed by or on behalf of the operators of the crude oil tankers.¹²

2.1.1.3. PWSRCAC

In addition to meeting the statutory goals of OPA 90 RCACs, PWSRCAC is also bound by the duties established in the funding contract with the oil company operating the pipeline and Valdez terminal in Prince William Sound. The contract sets out the following guidelines that govern the scope of work undertaken by PWSRCAC.

- Provide local and regional input, review and monitoring of Alyeska oil spill response prevention plans and capabilities, environmental protection capabilities, and actual and potential environmental impacts of Terminal and tanker operations;
- Increase public awareness of Alyeska oil spill response and prevention capabilities, environmental protection capabilities, and actual and potential environmental impacts of Terminal and tanker operations;
- Provide input into monitoring and assessing the environmental, social, and economic consequences of any oil related accidents and actual or potential environmental impacts in or near Prince William Sound; provided, that no Alyeska funding shall be used for such monitoring or assessing specifically in support of litigation against Alyeska;
- Provide local and regional input into the design of appropriate mitigation measures for potential consequences likely to occur as a result of oil or environmental related accidents or impacts of Terminal and tanker operations;
- Provide recommendations, to which Alyeska will respond in a timely manner, and participate in: (1) the continuing development of the Plan (2) annual plan review (3) the periodic review of operations under the Plan, including training and conducting exercises (4) the input into selection of research and development projects (5) the review of other important issues related to marine oil spill prevention and response concerns that are not obvious at this time and (6) the review of other concerns agreed upon by the Committee regarding actual or potential environmental impacts of Terminal or tanker operations;
- Fulfill all responsibilities and duties of the citizens advisory committee as set forth in Exhibit A attached hereto, which Alyeska agrees to incorporate in the Plan, and all amendments thereto
- To the extent possible, to avoid unnecessary duplication, the Committee shall coordinate its work with the scientific work performed by or on behalf of Alyeska, operators of crude oil tankers, and government agencies. However, this shall not preclude the

¹² 33 U.S.C. § 2732 (d)(8).

Committee from conducting independent work to confirm, verify or test work performed by others.

- The function of the Committee under this Contract is not regulatory but is advisory only

2.1.1.4. CIRCAC

The CIRCAC funding contract does not limit or define the scope of the RCAC. Instead, CIRCAC's activities are governed by the statutory duties set out in OPA 90.

2.1.1.5. Sullom Voe

Oil facility and shipping activities at the oil port of Sullom Voe in the Shetland Islands is overseen by a set of quasi-governmental groups. The Sullom Voe Association (SVA) is a company created between the joint cooperation of the Shetland Island Council and the two major pipeline groups (Brent and Ninian) that use the Sullom Voe terminal. The SVA consists of a board of four members, two members from the SIC and two members from the pipeline groups. The SVA has created to entities responsible for monitoring the environment and oil operations at Sullom Voe: the Shetland Oil Terminal Environmental Advisory Group (SOTEAG) and the Sullom Voe Oil Spill Advisory Committee (SVOSAC). These organizations were not directly created by legislation. Instead, parliament passed law in 1974 that gave the predecessor of the SIC authority over the Shetland Islands. In response, the oil companies approached the local authority to create an environmental forum to monitor the Sullom Voe area. This environmental forum became SOTEAG charged with examining and advising on the environmental implications of the Sullom Voe terminal.

SOTEAG consists of 15 members from universities, oil industry, marine interest groups, government agencies, and a birding organization. SOTEAG is an independent and unbiased group that advises, monitors, and reports on the environmental impacts of the oil terminal and shipping operations on Sullom Voe and the surrounding area.

The SVA also created the SVOSAC, which is responsible for providing advice on oil spill containment and recovery. SVOSAC was created to oversee oil spill planning, operations, and prevention in the Sullom Voe area.

2.1.1.6. CA TAC

In 2001, the California Technical Advisory Committee (CA TAC) was created by California Code¹³ to provide public input and independent judgment of the actions of the Office of Spill Prevention and Response (OSPR) and the State Interagency Oil Spill Committee (SIOSC).¹⁴ It is comprised of 10 volunteer members from marine and science professionals, the general public,

¹³ California Code 8670.54-56.

¹⁴ California Code 8670.54(a).

and industry.¹⁵ These members have broad discretion to study, comment on, or evaluate any aspect of oil prevention and response.¹⁶ They may also attend oil spill drills and oil spills.¹⁷ The TAC reports to the Governor and Legislature in a biennial report on its findings.¹⁸

The CA TAC provides recommendations to the State Lands Commission, the California Coastal Commission, the San Francisco Bay Conservation and Development Commission, and the State Interagency Oil Spill Committee.

2.1.1.7. SF HSC

The San Francisco Harbor Safety Committee (SF HSC) is a voluntary organization created by California statute charged with the “planning for the safe navigation and operation of tank ships, tank barges, and other vessels within each harbor.”¹⁹ Like the PSHSSC, the SF HSC was created to provide a forum for the interest groups that utilize San Francisco Bay to discuss issues related to improving safe operations.

The SF HSC is required to develop and maintain a harbor safety plan, which “must address:

- (1) A recommendation determining when tank vessels are required to be accompanied by a tugboat or tugboats, of sufficient size, horsepower, and pull capability while entering, leaving, or navigating in the harbor;
- (2) Anchorage designations and sounding checks;
- (3) Communications systems;
- (4) Small vessel congestion in shipping channels;
- (5) Placement and effectiveness of navigational aids, channel design plans, and the traffic and routings from port construction and dredging projects;
- (6) Procedures for routing vessels during emergencies that impact navigation;
- (7) Bridge management requirements; and
- (8) Suggested mechanisms to ensure that the provisions of the plan are fully and regularly enforced.”²⁰

2.1.1.8. States/BC Task Force

The Pacific States – British Columbia Task Force (US/BC Task Force) was formed by a Memorandum of Cooperation between the 4 west coast states and British Columbia in 1989, with the addition of Hawaii in 2001. The purpose of the US/BC Task Force is to improve oil spill prevention, preparedness and response. The members of the US/BC Task Force are

¹⁵ California Code 8670.54(a).

¹⁶ California Code 8670.55(b).

¹⁷ California Code 8670.55(c).

¹⁸ California Code 8670.55(d).

¹⁹ California Code 8670.23.

²⁰ California Code 8670.23.1.

comprised of the heads of the government regulatory oil spill authorities from each member government.

2.1.1.9. MOSAC

The Maine Oil Spill Advisory Committee (MOSAC) was created by the Maine Legislature in 1991.²¹ The council consists of 14 members and a chair. It is created of members selected by both interest group and area of expertise. This was apparently done in an attempt to ensure that the council would have the expertise to address the broad array of issues and interests involved in oil spill issues. In addition to the general public, industry and environmental interests, the members include experts in fisheries, coastal wildlife habitat, naval architecture, geology and oil spill technology.

Similar to the Washington Council, MOSAC was charged with a broad range of duties. These include:

- Track implementation of and regulations related to the Federal Oil Pollution Act of 1990 and recommend to the Legislature any statutory changes or to the board any appropriate regulatory changes. Additionally, review contingency plan requirements, opportunities and constraints of the federal Oil Spill Liability Trust Fund and oil spill prevention measures;
- Monitor the adequacy of the federal Oil Spill Liability Trust Fund in light of information on the potential risks and costs of an oil spill and the State's exposure and liability under the fund;
- Monitor the effects of the State's oil spill liability laws on oil spill prevention;
- Review expenditures and the priority for expenditures of the Maine Coastal and Inland Surface Oil Clean-up Fund and make recommendations to the commissioner on how the fund shall be allocated;
- Review the commissioner's program for identifying areas sensitive to oil spill in the marine environment and the development of resource protection priorities;
- Review and provide comment on the State's marine oil spill contingency plan;
- Monitor oil spill planning and prevention activities by industry, oil spill response organizations and the United States Coast Guard;
- Monitor the commissioner's assessment of adequate oil spill response equipment and vessels for the State;
- Review the implementation of a plan for rehabilitation of wildlife resources including training programs and opportunities for volunteers and state and federal personnel, and preliminary agreements or identification of treatment centers or facilities;
- Monitor scientific, engineering and technical advances in oil spill response and prevention techniques and make recommendations of their use, and

²¹ 38 MRSA § 551-A.

- Review and monitor issues for oil spill prevention and response and recommend to the Legislature any statutory changes or to the board any regulatory changes that are appropriate.²²

2.1.2. WA OSAC Priorities and Goals

The founding legislation charges the Washington Council with a broad range of duties. As it is not practicable for the Washington Council to undertake all of these duties simultaneously, the Council should set procedural and substantive priorities that fulfill the intent of the founding statute and engage in activities that will provide the most benefit to the State's oil spill program. The following are some recommended priority areas based on a review of the Council's legislative charter with a brief explanation of their importance and purpose. Additionally, initial goals selected by the Council are also listed below.

Proposed Priorities:

- Independent Studies
- Public Outreach
- Review of Lessons Learned
- Review of Rules and Regulations
- Participation in Oil Spill Drills and Spill Events

Selected Goals:

- Present the Legislature with funding options for the oil spill program envisioned by the Council;
- Define and recommend a state-of-the-art oil prevention program that does not reinvent the wheel;
- Explore and make recommendations regarding better prevention and rapid response efforts;
- Fulfill the tracking and advisory role.

Independent Studies

One of the duties of the Washington Council is to provide independent advice, expertise, research, monitoring, and assessment.²³ As demonstrated by other councils and committees, independent studies of important issues is critical for developing a state-of-the-art oil spill prevention and response program and moving toward the goal of having zero spills within the state. The Council expects to conduct 2-4 independent studies per year as staffing and funding allow. These studies will be assigned to the Council's members and staff within the framework of subcommittees and technical advisory committees or contracted to appropriate consultants if the members and staff do not have the necessary time or expertise.

Some of the initial studies identified by the Washington Council are aimed at:

²² 38 MRSA § 551-A.

²³ [RCW 90.56.130\(1\)\(c\).](#)

- Examining the boundaries of state jurisdiction and possible areas that Washington State can implement additional regulations;
- Analyzing the current Geographic Response Plan (GRP) process for ways to improve and enhance this system, which includes increasing access and availability of habitat information, improving the creation and update of GRPs, and the creation of a local first response program;
- Review current State and federal oil spill prevention, planning and response laws, regulations, and programs to identify gaps, unnecessary duplication and redundancies, and areas for improvement;
- Analysis of potential federal funding sources to support regional oil spill prevention and response efforts; and
- Investigation of the benefit and use of escort and rescue tugs.

Public Outreach

The Washington Council was created in part for the purpose of increasing public oversight and monitoring the actions of industry and regulatory authority actions under the state's oil spill prevention and response program. In seeking to fulfill this purpose, the legislature explicitly required public involvement in four of the statutory duties. Specifically, the Washington Council must provide information to the public on oil spill programs, seek public comments on measures to improve oil spill programs, providing opportunities for public involvement in response activities, and providing a mechanism for public consideration of federal actions. Carrying out the statutory duties also necessarily entails conducting outreach to other oil spill groups. To stay abreast of activities, events and concerns in the region, maintain efficiency and reduce the occurrence of unnecessary duplication, the Washington Council should communicate and coordinate with regional groups such as the Pacific States – BC Task Force and the PSHSSC. Maintaining open contacts with other oil spill councils (i.e. PWSRCAC and CIRCAC) will allow an exchange of information regarding current developments and issues in other regions that may inform or impact the actions of the Washington Council.

In addition, the Washington Council should develop a procedure for responding to inquiries from the media. Because the Washington Council is an independent council, it is advisable that it maintains its own public relations program to retain this autonomy. Publicity can be coordinated with Ecology and the Governor's office as appropriate and necessary. The Washington Council will likely draw attention from the media in the event that oil spill related issues arise, or in response to action taken by the Washington Council. The Washington Council, therefore, should make public outreach one of its initial priorities. The public outreach program should address raising public awareness of the existence and function of the Washington Council, information on state oil spill issues, and identification of opportunities for public involvement and participation.

In addition and after careful consideration, the Council proposes to transfer the oil spill prevention education and awareness program from the University of Washington to the Council. Although the University manages a good program, 40% of the money allocated for the program goes straight into the University's administrative fund and does not directly support education.

Their coverage is also focused primarily on marinas, leaving a large sector of the stakeholders untouched. Council members have broader access to the various stakeholders and can provide greater coverage than one individual working for the University. An option is to transfer the University education and outreach person to the council staff so as to retain the experience while expanding the reach of the program.

Review of Lessons Learned

The Washington Council is charged with reviewing lessons learned and following up with agency personnel to determine if corrective and preventative measures have been implemented. A corollary duty is to evaluate incident response reports and make recommendations for improvement. Engaging in this activity early on will allow the council members to educate themselves on oil spill response activities and help improve the oil spill prevention program.

Review of Rules and Regulations

Since the council membership is broad-based across a number of industry and public sectors that are stakeholders in the oil spill prevention and response program, they can provide valuable input in the development of new rules and regulations. The council considers this involvement one of their most important tasks since they can provide stakeholder input much earlier in the rule making process instead of waiting for public comment. This should reduce the amount of time it takes to develop new rules and regulations and provide a balanced approach to addressing the concerns of all interested parties.

Participation in Oil Spill Drills and Spill Events

Along with review of lessons learned and relevant rules and regulations, participation in oil spill drills is another area where council members can provide valuable support. The Washington Council is not staffed, trained, or funded to manage an oil spill response. It can, however, provide critical observation of response efforts and make recommendations for improvement. Additionally, the Washington Council can improve communications with its member constituents about oil spill response, which will help reduce public concerns in many instances. The Council's involvement in the oil spill response process should improve the Unified Command's ability to conduct a smoother and more coordinated response to a given incident.

2.1.3. Committees

The following section presents the current committee structure of the Washington Council along with a proposed set of standing committees that were identified based on the statutory duties of the Council and structure of other councils. For a point of reference, the committees of other councils are also presented below.

2.1.3.1. WA OSAC

Due to the range of issues surrounding oil spill prevention, preparedness and response, the Washington Council will be best served by adopting the structure adopted by other councils.

The general categories of issues should be addressed by committees made up of a subgroup of Council members and volunteers. Within each committee smaller subcommittees can be delegated specific areas of concern. These Washington Council, committees and subgroups can be supplemented with workgroups and technical advisory committees created to address specific questions in depth on an ad hoc basis. The findings of these groups are reported back to the Council at the quarterly meetings. The TACs and committees will meet in between Council meetings to make the overall process more effective and efficient. As depicted in the table below, the Washington Council currently maintains four TACs consisting of the Capacity TAC, the Derelict Vessel TAC, the Federal Funding TAC, and the Tugs TAC. The table also lists other standing committees that the Council considers important to discharge its duties successfully.

WA OSAC TACs and Committees

Technical Advisory Committees	
Federal Funding Technical Advisory Committee (currently exists)	This TAC is charged with identifying federal legal and regulatory requirements that are either not being implemented due to lack of funding or that are being carried out by the state, as well as gaps in spill prevention due to inadequate funding or court precedent.
Capacity TAC (currently exists)	This TAC was convened to assess the capacity State and public resources to contain and recover oil and provide wildlife and habitat cleanup throughout Washington waters in response to a catastrophic oil spill.
Tugs TAC (currently exists)	This committee studies escort and rescue tug issues, with a focus on cost-effective placement of rescue tugs in strategic locations and ensuring continual funding of the Neah Bay rescue tug.
Derelict Vessels TAC (currently exists)	This committee is investigating derelict vessel issues in Washington waters.
Standing Committees	
Prevention, Preparedness, & Response Committee (proposed)	This committee studies ways that oil spill risk can be minimized through operations and technology.
Plan & Regulation Committee (proposed)	This committee reviews state and federal contingency plans and monitors state and federal legislation and regulations; reviewing lessons learned; and analyzing oil spill drills.

2.1.3.2. RCACs

OPA 90 calls for the RCACs to maintain two standing committees:

- Committee for Terminal and Oil Tanker Operations and Environmental Monitoring (TOTOEM)²⁴
- Committee for oil spill prevention, safety, and emergency response (OSPSE)²⁵

The purpose of the TOTOEM committee is to “devise and manage a comprehensive program of monitoring the environmental impacts of the operations of terminal facilities and of crude oil tankers while operating in Prince William Sound and Cook Inlet”²⁶ through the development of a strategy to allow early detection of environmental impacts of facility and tanker operations, and monitoring programs.

The OSPSE committee is charged with “review[ing] and assess[ing] measures designed to prevent oil spills and the planning and preparedness for responding to, containing, cleaning up, and mitigating impacts of oil spills.”²⁷ In carrying out this charge the committee is given broad authority to review the oil spill prevention and contingency plans; monitor drills; study wind and water currents and other environmental factors; identify highly sensitive areas which may require specific protective measures in the event of a spill; monitor developments in oil spill prevention, containment, response, and cleanup technology; review port organization, operations, incidents, and the adequacy and maintenance of vessel traffic service systems; and review the standards for tankers.²⁸ Each in their own structure and design, the two RCACs maintain committees and programs that address each of these duties.

Each RCAC is comprised of a board of members from communities, cities and interest groups identified by statute. Each board meets several times per year to review reports and information from a set of standing committees that address specific oil spill related matters. The standing committees are comprised of board members and volunteers from the member groups and interested citizens. The standing committees create subcommittees and workgroups on an as needed basis. The standing committees report back to the councils to assist in the development of annual and long-term strategic goals. The council then in turn gives direction and approves the operations and budget of the RCAC staff and programs.

2.1.3.3. PWSRCAC

Oil Spill Prevention and Response Committee

“The Oil Spill Prevention and Response (OSPR) Committee works to minimize the risks and impacts associated with oil transportation through strong spill prevention and response measures,

²⁴ 33 U.S.C. § 2732 (e).

²⁵ 33 U.S.C. § 2732 (f).

²⁶ 33 U.S.C. § 2732 (e).

²⁷ 33 U.S.C. § 2732 (f).

²⁸ 33 U.S.C. § 2732 (f).

adequate contingency planning, and effective regulations. The OSPR Committee reviews oil spill response plans (contingency plans); monitors state and federal laws and regulations; monitors and participates in oil spill drills; and investigates developments in prevention, containment, response, and cleanup technology.”²⁹

Port Operations and Vessel Traffic Systems Committee

“The Port Operations and Vessel Traffic Systems (POVTS) Committee monitors port and tanker operations in Prince William Sound. POVTS identifies and recommends improvements in the vessel traffic navigation systems and monitors the vessel escort system.”³⁰

Terminal Operations and Environmental Monitoring Committee

The TOEM Committee monitors environmental pollution at the Valdez Marine Terminal. This includes both direct pollution to the water and indirect pollution from sources such as air emissions of hydrocarbons during oil transfer. The committee also reviews and comments on permits, air and water quality standards and conducts independent research.

Scientific Advisory Committee

“The Scientific Advisory Committee sponsors independent scientific research and provides scientific assistance and advice to the other RCAC committees on technical reports, scientific methodology, data interpretation, and position papers. The SAC maintains a database of scientific experts and coordinates with other related organizations.”³¹

Legislative Affairs Committee

With the assistance of outside counsel, the Legislative Affairs Committee monitors state legislation, provides action recommendations, and serves as an interface between the board of directors and lawmakers.

Finance Committee

The Finance Committee assists with the oversight of the RCACs financial affairs.

Executive Committee

This is a break out of the board of directors, open to all directors, that meets on a bi-weekly basis and is charged with full-decision making authority between board meetings.

2.1.3.4. CIRCAC

²⁹ Available at: <http://www.pwsrcac.org/about/ospr.html>.

³⁰ Available at: <http://www.pwsrcac.org/about/povts.html>.

³¹ Available at: <http://www.pwsrcac.org/about/sac.html>.

Prevention, Response, Operations and Safety Committee

The PROPS committee primarily focuses on work plan development and projects and studies examining ways to minimize the risk of oil spills. The committee also reviews and monitors spill response efforts and the use of the best available technology (BAT).

Protocol Control Committee

This committee primarily functions to address state and federal contingency plans and related issues. In addition, the committee participated in the development of non-tank vessel regulations and has been involved with the Alaska Department of Conservation (ADEC) in the review and appraisal of BAT.

Environmental Monitoring Committee

The Environmental Monitoring Committee monitors the Cook Inlet ecosystem to provide early detection of any environmental effects or adverse impacts due to oil facility and tanker operations.

2.1.3.5. Sullom Voe

SOTEAG maintains two standing committees: the Environmental Monitoring Committee (EMC) and the Wildlife Response Committee.

SVOSAC meets four times per year. There are no subcommittees.

2.1.3.6. CA TAC

The CA TAC meets quarterly. There are no standing committees, however the CA TAC creates subgroups that conduct specific tasks on an as needed basis.

2.1.3.7. SF HSC

The SF HSC is broken down into workgroups that address specific topics. The following is a list of current and former HSC workgroups:

- Navigation Workgroup;
- Underwater Rocks Workgroup;
- Human Factors Workgroup;
- Prevention Through People Workgroup;
- Ports Workgroup;
- Tug Escort Workgroup;
- Ferry Operations Workgroup.

2.1.3.8. States/BC Task Force

The US/BC Task Force operates through coordinating committees that meet on a quarterly basis to oversee the projects and activities identified in the annual and five year strategic plans. The coordinating committees report to the US/BC Task Force membership at the annual meeting. The coordinating committee oversees various workgroups tasked with projects such as the Database Project Workgroup that is developing an electronic tool that tracks all spill events that occur in the membership jurisdiction. The end product of the US/BC Task Force's efforts are recommendations that it seeks the member governments to adopt and implement.

2.1.3.9. MOSAC

At one time MOSAC maintained two standing subcommittees and additional subcommittees to address specific issues. The two standing subcommittees were a legislative committee and a research committee. One of the responsibilities of the research committee was reviewing proposals for the Sea Grant funding.

2.1.4. Staff

In carrying out its duties, it is recommended that a staff be employed to support the Washington Council. RCW 90.56.130(1)(a) provides the Washington Council with the authority to hire professional staff and consultants. This ability is important as it allows the Washington Council to obtain the resources necessary to acquire information for decision making purposes and provides a mechanism through which the Washington Council can carry out its directives. The following section proposes an initial staff structure for the Washington Council.

Support staff can serve the function of providing ready support to Council, committee and subcommittee needs. Although many of the Council members are knowledgeable in the various areas of oil spill prevention, planning and response, additional research will be necessary to provide accurate and up-to-date knowledge of technical, policy, and legal issues. Staff will also increase the capacity of the Council to take on additional projects, without requiring the Council members to invest an undue or impracticable amount of time investigating and running projects themselves. For the staff to work efficiently, it is recommended that an executive director be employed to direct and manage the staff in carrying out the Washington Council's directives. The executive director will also serve as a spokesperson for the Council.

Other Washington councils and commissions have adopted this structure. For instance the Governor's Council on Substance Abuse, which is comprised of 25 members from a diverse group of interest groups and government offices, is supported by an executive director that oversees two (2) staff members. Similarly, the Commission on Asian Pacific American Affairs, the Washington State Commission on Hispanic Affairs, and the Energy Facility Site Evaluation Council are supported by an executive director or similar position which directs a small staff to carry out directives.

Most of the councils and committees that were investigated for this study, with the exception of the RCACs in Alaska, have minimal or no supporting staff. Staff, if present, are limited to working in an administrative capacity arranging meetings, taking notes, and providing other clerical services. These councils/committees rely upon the knowledge of the members and resources of the governing organizations to meet their needs and in some cases (i.e. the California Technical Advisory Committee), this support is quite extensive.

In contrast, the Washington Council structure is more analogous to the Alaska RCACs, which maintain a staff to carry out the directives of the councils and manage outside consultants. Of the two RCACs, CIRCAC is the most appropriate for purposes of structuring the initial staff of the Washington Council. CIRCAC operates on a budget of approximately \$1.2 million dollars, which is used to provide salary and overhead for a staff of 6, operate numerous programs and conduct independent research and other services through outside consultants. The current budget of the Washington Council is more limited than that of CIRCAC. Additional funds will be necessary to obtain adequate staff and consultant expertise in discharging the Washington Councils duties.

To meet its statutory duties, the Washington Council will need at a minimum 4 personnel. Although it is subject to change as the Council matures, an initial staff consisting of an Executive Director, two Project Analysts/Project Directors, and an administrative assistant is the minimum for the Council to begin to fulfill the Council's assigned mission. Below are brief descriptions of the duties and responsibilities of each of these positions. These are followed by a brief description of the staff arrangements of the councils and committees examined.

2.1.4.1. WA OSAC

Proposed staff:

- Executive Director
- Program Director / Project Director: Prevention, Planning, Response
- Program Director / Project Director: Public Outreach; Funding; Legislative Affairs; Plans and Regulations
- Administrative Assistant

A brief description of each of these positions follows.

Executive Director

The Executive Director is responsible for the day-to-day operations of the Washington Council staff and programs. This position is the interface between the council members and the staff and implements the policies and directives chosen by the council members. The Executive Director is responsible for preparing the annual budget for the Washington Council, approving expenditures. The Executive Director holds contracting authority and is responsible for recommending contractors to the Council. The Executive Director is charged with speaking on behalf of the Washington Council.

Program/Project Director (2)

The program/project director is responsible for overseeing and managing the various project and programs identified by the Washington Council. The Program/Project Director creates and manages the project budgets, which are approved by the council members. In order to carry out the directed programs and projects, the Program/Project Director has the authority to seek expert assistance from outside consultants and researchers. This position takes direction and reports to the Executive Director.

Administrative Assistants (1)

The administrative assistant will provide administrative support to the Executive Director and Program/Project Directors. This includes performing reception duties, sending and receiving correspondence, managing documents and reports, arranging for travel, and generally supporting staff and Council needs.

2.1.4.2. PWSRCAC

The PWSRCAC originally decided to hire a limited staff of 2 to 3 professionals that would manage a team of contractors to carry out the programs and activities identified by the members. It was quickly realized that this structure was untenable. The RCAC staff was too small to manage the contractors on the various projects. Over time additional staff was hired. Today, 16 professionals and administrative support the PWSRCAC. The PWSRCAC is not limited by programs or activities, but by budgetary limitations.

PWSRCAC employs a staff of 16. These positions are presented below hierarchically.

- Executive Director
 - Executive Assistant
 - Director of External Affairs
 - Director of Administration
 - Financial Manager/Systems Administrator
 - Project Manager / Webmaster
 - Outreach Coordinator
 - Project Manager Assistant
 - Administrative Assistant
- Director of Programs
 - Project Manager: Oil Spill Prevention & Response Operations
 - Project Manager: Environmental Monitoring
 - Project Manager: Terminal Operations
 - Project Manager / Drill Monitor
 - Project Manager Assistant
 - Administrative Assistant

PWSRCAC seeks to obtain staff with expertise in some aspect of oil spill prevention and response. The RCAC utilizes this staff to leverage outside contractors who provide expertise in

specific project areas on an as needed basis. The following are brief project descriptions for PWSRCAC. They are not current, however, they show the general nature and duties of the staff.

Executive Director

The Executive Director is responsible for all aspects of the corporation's operation including management, public relations and contracting. This position works to ensure that the PWSRCAC is in compliance with all legal and contractual requirements; directing and managing RCAC staff to carry out Board directives and implement RCAC policies; serving as the official representative of the RCAC; reliably documenting and reporting PWSRCAC's mission, goals and activities to the public and interested parties; keeping the Board informed and educated about staff activities, current events and oil spill issues; and providing recommendations to the Board.

Executive Assistant (1)

The Executive Assistant is the personal assist of the Executive Director. This position provides administrative and secretarial support; serves as meeting support and note taker for Board meetings; conducts research; prepares reports, agendas and notes; drafts correspondence; and coordinates volunteers.

Director of External Affairs (1)

The Director of External Affairs coordinates RCAC public information, legislative affairs, media relations, and editing of written RCAC communications. This position is responsible for the content and production of all RCAC publications; preparing the annual report, newsletters, brochures, reports and documents; promoting public awareness of the RCAC's goals; preparing and distributing media releases; serving as a media spokesperson; representing the RCAC at public meetings, hearings and other events; supporting the legislative affairs committee; and coordinating the annual recertification process.

Director of Administration (1)

The Director of Administration oversees planning, accounting, contracting, and staff operations under the direction of the Executive Director. This position directs the development of short and long-term goal documents; develops a process for monitoring and reporting on progress on monitoring and reporting on identified goals; coordinates staff activities; reviews and implements management practices, policies and procedures; recommends management improvements; oversees hiring of new staff, employee development and performance; maintains compliance with labor laws; assists in the development of administrative and project budgets; reviews budget expenditures and project costs; reviews invoices and purchase orders; develops contracting procedures, reviews RFPs; and oversees insurance policies.

Director of Programs (1)

The Director of Programs oversees staff operations, RCAC programs and projects. This position directs the development of short and long-term goal documents; coordinates staff activities; reviews and implements management practices, policies and procedures; recommends policy and

procedure improvements; oversees program, project, and committee finances; reviews RFPs and proposed contracts, and progress of contract implementation.

Financial Manager (1)

The Financial Operations Manager maintains the personnel and accounting systems. This position is responsible for paying invoices; managing payroll; maintaining accounts payable and general ledgers; maintaining financial documentation and personnel records; and insures that adequate insurance is maintained.

Outreach Coordinator (1)

The Outreach Coordinator coordinates and facilitates communication and interactions between the PWSRCAC and its member groups and communities to increase visibility and awareness of the RCAC and educate and engage citizens in oil spill issues. This position represents the RCAC at public events; works to increase volunteer involvement; develops and implements outreach programs; and work with staff and assist in programs to enhance outreach efforts.

Project Manager (6)

Project Managers provide support to RCAC committees and manage all aspects of programs and projects. Project Managers are responsible for developing, implementing and maintaining programs and projects; coordinating with other project managers and upper management to ensure a uniform approach and consistency with RCAC goals; preparing reports; conducting research; identifying support needs and locating contract support; drafting and negotiating contracts; keeping RCAC management and committees informed of contract activities and status; administering committee and program budgets; developing budgets.

Administrative Assistant (2)

The Administrative Assistants are responsible for greeting visitors; screening telephone calls; receiving and sending correspondence; manages office supplies and office equipment; coordinating logistical arrangements, including meeting support and travel arrangements; supplying administrative support; tracking staff schedules; and maintaining the computer network, the central filing system, library and electronic databases.

2.1.4.3. CIRCAC

CIRCAC employs a staff of six, who oversee contractors that provide expertise in specific project areas on an as needed basis. This allows the RCAC to maintain a small staff of individuals, with knowledge and experience working in the areas of oil spill prevention and response, that can draw upon a wide array of experts in specific field.

Executive Director

Assistant Executive Director

Director of Science and Research

Director of Public Outreach

Director of Operations
Administrative Assistant

A brief description of each of these positions follows.

Executive Director

The Executive Director is delegated certain responsibilities and authority by the Council. This position is charged with carrying out the directives of the Council through CIRCAC staff. The Executive Director serves as the spokesperson of the Council and keeps the Council and Board apprised of the operations and results of staff activities. The Executive Director is in charge of staffing, salaries, management and finances of CIRCAC. The Executive Director assists the Board with developing the mission and objectives of the Council and provides recommendations to the Board. This position also oversees and approves budgeted expenses and minor non-budgeted expenses; has contracting authority; and recommends contractors to the Board.

Assistant Executive Director

The Assistant Executive Director is in charge of office operations and assists the Executive Director in overseeing the day-to-day operations of CIRCAC. This position works with staff to see that the directives of the Executive Director, Council and Committees are carried out. Office operations include training new staff, maintaining internet operations, maintaining appropriate insurance coverage, compliance with state and federal laws government non-profit entities, maintaining office equipment and supplies and provides purchasing recommendations; and oversees and covers administrative assistant duties. This position also is in charge of the accounting and budgets for CIRCAC Council, Committees, and staff, prepares budget reports, works to improve office efficiency, administers payroll and manages financial information.

Director of Science and Research

The Director of Science and Research serves as the lead scientist for CIRCAC and provides the Council committees with scientific support as needed. This position consults and coordinates with federal, state, and local governments and industry on environmental data acquisition and scientific advances and technology with respect to RCAC concerns; conducts research and provides recommendations to Council and Committees; conducts field work, research and writing as needed or requested; coordinates consultant project work; attends and serves as representative or liaison at seminars, conferences, workshops or meetings.

Director of Operations

The Director of Operations works under the direction of the Executive Director to provide the primary support to the Council. This position conducts research and writing, and provides the necessary information for the PROPS, EMC and Protocol committees; observes and participates in oil spill drills and activities; coordinates with industries, organizations and government agencies; maintains public contacts; keeps Council members informed of committee activities and current issues and technology; assists in oil spill prevention and contingency plan review; coordinates consultant project work; oversees administrative assistants maintenance of

Committee reports and materials; and attends and serves as representative or liaison at seminars, conferences, workshops or meetings.

Director of Public Outreach

The Director of Public Outreach is responsible for increasing visibility and awareness of CIRCAC through public outreach and coordinating and facilitating communication and interactions between CIRCAC and its member groups and communities. The duties of this position include: maintaining a presence at community events; presenting and speaking on behalf of CIRCAC; educating the public and member groups about CIRCAC and its activities; engaging staff and volunteers at public events; working with staff to increase volunteer opportunities and public involvement; writing newsletters, press releases, annual reports, and council briefs; oversee web-page content and design; participate in spill drills; staying abreast of all reports and activities conducted by staff and Council; and pursuing public outreach opportunities and funding.

Administrative Assistant

The Administrative Assistant answers directly to the Executive Director and provides administrative support to the Council, Committees, staff and Executive Director. These duties include serving as receptionist, sending and receiving communications, document management, word processing, database management, document production and distribution, meeting support, ordering and maintaining office supplies and equipment, and travel arrangements.

2.1.4.4. Sullom Voe

SOTEAG is supported by one staff person. This position runs the business affairs of SOTEAG by administering the budgets, delivering presentations on the groups findings, and manages the contractors and researchers. All monitoring work is conducted by researchers from universities and contractors.

SVOSAC is supported by a staff member of the SIC who devotes approximately 1/10 of a FTE toward the committee.

2.1.4.5. CA TAC

The CA TAC is provided support by OSPR staff. There is an Administrator and a Deputy Administrator that run the meetings. The Administrator dedicates approximately one to two days per month and the Deputy Administrator dedicates approximately two to three days per month to the CA TAC. They, along with the CA TAC, are supported by two technicians that combined dedicate about 1/2 to 1/3 FTE. In addition, CA TAC draws upon OSPR staff through the Administrator to provide information requested by the CA TAC. The combined time of these OSPR technical staff is about 2 FTEs. Because OSPR sees the benefit of the CA TAC, they try to provide ample support; however they are limited by budget constraints.

2.1.4.6. SF HSC

The SF HSC is supported by a Secretariat. This position supports the SF HSC through tasks such as scheduling meetings, taking notes, making phone calls, and locating experts on different topics to provide information to the SF HSC and workgroups. Support to the SF HSC is only a portion of the Secretariat's duties.

2.1.4.7. States/BC Task Force

The Task Force is supported by one staff person. The Task Force Executive Coordinator, who organizes meetings, facilitates communication internally and with stakeholders, conducts research and report drafting, and assists the US/BC Task Force with project implementation.

2.1.4.8. MOSAC

The Maine Department of Environmental Protection provides a staff person for support of MOSAC. Staff assistance is still available to MOSAC, however, it is not currently utilized as there is no committee activity. During activity of MOSAC, the DEP staff assistant spent approximately 2 days per month supporting MOSAC. The time commitment was more onerous during the first year of MOSAC, requiring approximately ¼ FTE to assist the committee in initial set-up and defining roles and duties. MOSAC has hired consultant in the past to address specific issues. For instance, MOSAC hired a consultant to review an oil spill that occurred in 1996.

2.1.5. Agency and Organization Communications

In carrying out its functions, the Washington Council and staff will need to maintain communications and relations with a number of agencies and organizations in Washington and other states. A preliminary list of these groups is presented below. The agencies and organizations that the other councils and committees examined maintain contacts with are also presented as a reference to provide a frame of reference for the breadth and scope of communications that the Washington Council will be maintaining over time.

2.1.5.1. WA OSAC

Washington Department of Ecology
Washington Department of Fish and Wildlife
Washington Department of Natural Resources
United States Coast Guard
Pacific States / British Columbia Task Force
Northwest Area Committee
Puget Sound Harbor Safety Committee
Puget Sound Council
Puget Sound Action Team

Northwest Straits Commission
Island Oil Spill Association
U.S. Environmental Protection Agency
Port of Seattle
Port of Tacoma
Local governments
Native American tribes
Environmental organizations
Commercial fisheries
Commercial shellfish fisheries
Marine tourism and recreational interests
Marine trade and labor interests
Major oil facilities

2.1.5.2. PWSRCAC

Alaska Department of Environmental Conservation
Alaska Department of Fish and Game
Alaska Department of Natural Resources
United States Coast Guard
Environmental Protection Agency
National Oceanic and Atmospheric Administration
Bureau of Land Management
United States Forest Service
Division of Emergency Services, Alaska Department of Military and Veterans Affairs
Alyeska
Alaska State Chamber of Commerce
Alaska Wilderness Recreation & Tourism Association (AWRTA)
Chenega Bay
Chugach Alaska Corp.
City of Cordova
City of Homer
City of Kodiak
City of Seldovia
City of Seward
City of Valdez
City of Whittier
Cordova District Fishermen United (CDFU)
Kenai Peninsula Borough
Kodiak Island Borough
Kodiak Village Mayors Association
Oil Spill Region Environmental Coalition (OSREC)
Prince William Sound Aquaculture Corp. (PWSAC)
Tatitlek

Commercial fisherman
Aquaculture, tourism, recreational and environmental interest groups

2.1.5.3. CIRCAC

Alaska Department of Environmental Conservation
Alaska Department of Fish and Game
Alaska Department of Natural Resources
United States Coast Guard
Environmental Protection Agency
National Oceanic and Atmospheric Administration
Bureau of Land Management
United States Forest Service
Division of Emergency Services, Alaska Department of Military and Veterans Affairs
Alaska State Chamber of Commerce
7 Funding oil companies
Anchorage
Homer
Kenai
Kodiak
Seldovia
Borough of Kenai
Borough of Kodiak
Cook Inlet Spill Prevention and Response Inc. (CISPRI)
Alaska Native groups
Commercial fisherman
Aquaculture, tourism, recreational and environmental interest groups

2.1.5.4. Sullom Voe

Shetland Islands Council
Sullom Voe Association
Sullom Voe Terminal
University of Aberdeen
University of Lancaster
Shetland Islands Council
Ninian Pipeline System
Brent Pipeline System
Scottish Office Agriculture, Environment & Fisheries Department
Scottish Environment Protection Agency
Scottish Natural Heritage
Shetland Fishermen's Association
Shetland Salmon Farmers' Association
Shetland Agricultural Association

Shetland Bird Club
Aberdeen University Research & Industrial Services (AURIS Ltd.), Secretary
Scottish Agricultural College

2.1.5.5. CA TAC

United States Coast Guard
California Department of Fish and Game, Office of Oil Spill Prevention and Response
Pacific States / British Columbia Oil Spill Task Force
California Coastal Commission
San Francisco Bay Conservation and Development Commission
California State Lands Commission
Marine transportation interests
Dry cargo industry
Environmental groups
Petroleum industry
Local governments
Oil spill response groups

2.1.5.6. SF HSC

San Francisco Bay Conservation and Development Commission
United States Coast Guard
Army Corps of Engineers
United States Navy
National Oceanic and Atmospheric Administration
California Fish and Game, Office of Oil Spill Prevention and Response
Port of Richmond
Port of Oakland
Port of Benicia
Port of San Francisco
Pleasure boat operators
Tanker operators
Marine oil terminal operators
Dry cargo operators
Labor organizations
Barge operators
Tug operators
Environmental organizations
Ferry operators
Pilot organizations
Commercial fishing

2.1.5.7. States/BC Task Force

United States Coast Guard
Alaska Department of Environmental Conservation
British Columbia Ministry of Environment
California Office of Spill Prevention and Response
Hawaii Department of Health
Oregon Department of Environmental Quality
Washington Department of Ecology

2.1.5.8. MOSAC

As a general rule, MOSAC did not communicate with other agencies or organizations in between the quarterly meetings. These main committee meetings were attended by agencies such as the Maine Department of Environmental Protection, Maine Inland Fisheries and Wildlife, Maine Department of Conservation, Maine Department of Marine Resources, and the U.S. Coast Guard.

2.1.6. Programs and Projects

2.1.6.1. WA OSAC

2.1.6.2. PWSRCAC

Oil Spill Prevention and Response Operations

“The Oil Spill Response Operations program encompasses monitoring and reporting activities related to the operational readiness of oil spill response personnel, equipment, and organization of the trans-Alaskan pipeline shipping industry. This program monitors oil spill incidents within Prince William Sound and evaluates response readiness. It is also responsible for writing and implementing the PWSRCAC Emergency Response Plan.” Some specific projects undertaken as part of this program include: identification of oil spill response gaps; preparedness monitoring; creation of an emergency response plan which outlines the council's role in the event of an oil spill; evaluation of communication capabilities throughout the Sound; and the review and monitoring of oil spill response and prevention.

Oil Spill Prevention and Response Planning

The oil spill response planning program assists with the development of “positions and recommendations on oil spill response technologies; reviews state and federal contingency plans and plan-related issues; promoting compliance with and enforcement and funding of existing environmental regulations; supports maintenance and improvement of the Alaska Coastal Management Program process; and promotes the incorporation of local knowledge of sensitive areas in contingency planning.” This program has also developed a guidebook designed to help address the human psychological and socioeconomic impacts of oil spills.

Terminal Operations

The terminal operations program is focused on reviewing terminal operations and maintenance procedures and whether such practices may have short-term or chronic impacts on the environment. Impacts associated with air and water pollution are monitored. The program encompasses a range of projects, which include the study of: ballast water treatment, air quality, fire protection systems, seismic re-engineering and reconfiguration of the Valdez terminal, NPDES permitting, right-of-way renewals, corrosion abatement, and the state of the environment.

Maritime Operations

“The Maritime Operations program reviews port organization, operations, incidents, and the adequacy and maintenance of the vessel traffic system. Major program components include participation with the Valdez Marine Safety Committee, monitoring changes to the escort system, reviewing Best Available Technology documents for the escort system and the Vessel Emergency Response Plan, and supporting the maintenance of the NOAA weather stations.”

Environmental Monitoring

The environmental monitoring program focuses on determining if the oil industry operations are having any adverse impacts on the marine ecosystem. Long term monitoring of tissue samples at locations throughout the Sound is conducted. Other chemical analysis is used to monitor sediment and plankton to see if oil industry compounds are accumulating in the ecosystem. The program also researches the safety of oil industry related products such as oil dispersants, which may have adverse impacts on organisms and the ecosystem.

Non-indigenous Species

The non-indigenous species program works to identify potential threats of introduced species through mechanisms such as ship ballast water. The program has undertaken studies that have identified the non-indigenous species present in Prince William Sound and monitored the size and range of non-native species populations. The program works to inform and improve policy on marine invasive species.

Outreach

The outreach program seeks to increase public awareness of PWSRCAC’s purpose and activities, educate the public on oil related issues, and inform the public on how they can become more involved. Elements of this program include crafting press releases on topics of concern or current media attention, radio advertisements, an annual report, a newsletter, an e-newsletter, and an educational program that is currently under development.

2.1.6.3. CIRCAC

Risk Assessment

The risk assessment committee examines terminal and ship operations to evaluate areas and practices that create risk of oil spill and ways to reduce that risk. Specific projects undertaken by the committee include a voluntary pipeline reporting system; reviewing vessel docking and assistance, tanker on-board observation, and facilities and pipelines; and the dismantlement, removal, and restoration of oil industry equipment.

Prevention and Response

The prevention and response committee addresses all aspects of improving and monitoring prevention and response. The committee reviews technological advances and investigates techniques and procedures that can reduce the risk of oil spills and enhance oil spill response. Projects have been undertaken in the following areas: oil spill drills; best available technology; firefighting and catastrophic capabilities; Alaskan oil spill permits, forms and applications; geographic response strategies; geographical resource information network; Native Alaskan community communication; ports of safe refuge; oil spill trajectory; GRS/data integration; and community-based oil spill response organizations.

Regulation Permit Monitoring and Review

The regulation permit monitoring and review committee monitors NPDES permits and discharge monitoring reports, effluent guidelines, and ship ballast water and non-indigenous species issues.

Contingency Planning

The contingency planning committee reviews all contingency plans, including non-tank vessel contingency plans.

Oil Fates & Effects

The oil fates and effects committee studies the actual and potential fate and impacts associated with the introduction of oil into the ecosystem. This project monitors tissue and sediment data for contaminants associated with oil and industry operations. The committee also reviews data on circulation patterns to better assess which areas will be impacted in the event of an oil spill.

Physical Oceanography

The physical oceanography program conducts projects to describe current patterns in Cook Inlet. Working with researchers from universities and institutes, the program has undertaken studies and modeling efforts to describe the seasonal current patterns.

Environmental Monitoring

The environmental monitoring program studies the Cook Inlet ecosystem for impacts associated with oil terminal and shipping operations. The program seeks to maintain monitoring practices that will allow the assessment of impacts of an oil spill. Projects include the monitoring of subtidal and shoreline species and mapping habitat to identify sensitive shoreline and subtidal areas.

Outreach

The outreach program seeks to increase public awareness of PWSRCAC's purpose and activities, educate the public on oil related issues, and inform the public on how they can become more involved.

2.1.6.4. Sullom Voe

SOTEAG and is incorporated into the command structure of oil spill response system in Sullom Voe. They also participate in the annual spill drills. In addition, they maintain long term monitoring projects that survey benthic flora and fauna, sediment chemical concentrations, and shoreline and bird populations. Additional studies and project work is undertaken in the event of an oil spill.

SVOSAC reviews and assists in the development of harbor oil spill plans, reviews oil spill technologies, and maintains and purchases response equipment for the SVT.

2.1.6.5. CA TAC

The CA TAC tracks issues under these agencies and receives updates during the CA TAC meetings such as the following:

- California Coastal Commission: Tug Escort Bollard Pull Testing
- California Coastal Commission: Proposed LNG offshore floating terminal
- State Lands Commission: Marine Oil Terminal Engineering and Maintenance Standard
- State Lands Commission: Liquefied Natural Gas Terminal Engineering and Maintenance Standards
- SF HSC Committee Reports
- Pending Legislation
- California Air Resources Board Regulation for Auxiliary
- Diesel Engines on Ocean-Going Vessels
- Pending OSPR Regulations
- OSPR Drills and Exercises
- OSPR budget
- OSPR Scientific Study and Evaluation Program
- OSPR Inland Pollution Program funding and civil penalties issues
- Recommendations on how excess funding in the oil spill account should be spent

Although the purpose of the CA TAC is to provide public input and oversight of government actions, there is limited public involvement in the CA TAC meetings and actions. This maybe due to the fact that public participation is unfunded. Additionally, outside of public notices of upcoming meetings, there is no advertisement or public outreach.

2.1.6.6. SF HSC

The information available on programs undertaken by the SF HSC are aimed at improving safe use of the harbor waterways. A campaign was recently undertaken by the SF HSC to raise awareness of among recreational users such as kayakers to stay alert and avoid vessels using the harbor.

Participants and oil companies in the United States describe the SF HSC as being highly successful in achieving its goal of increased safety in the harbor. There is no public outreach component of the SF HSC activities beyond the minimal website and possible public notices of upcoming meetings. No campaign exists to inform the public of participation opportunities or the purpose of the SF HSC.

2.1.6.7. States/BC Task Force

The US/BC Task Force has addressed a series of issues since it was created in 1989. The coordinating committees, which consist of the respective program managers from the member government agencies, are able to provide insight into the target issues. The agencies also have access to additional agency resources and personnel to support the US/BC Task Force's activities. Issues addressed include:

- Protocols for the Care of Oil-Affected Marine Mammals
- Protocols for the Care of Oil-Affected Birds
- Evaluation Report and Recommendations on Oiled Wildlife Care Facilities
- Final Report of the Pacific States/British Columbia Oil Spill Task Force
- Alternative Response Technologies In Situ Burning and Dispersants
- Recommendations to Prevent Oil Spills Caused by Human Error
- Marine Pilots and Vessel Safety on the West Coast
- Spill & Incident Reporting Data Collection Dictionary
- Status Review of Alternative Response Technology Policies and Issues
- Integrated Vessel Response Plan Format Guidelines for Tank Vessels
- Integrated Vessel Response Plan Project
- Pipeline Spill Prevention Project
- Oil Spill Response Readiness Roundtable
- Project Summary Report on the Oil Spill Field Operations Guide (FOG) Update Project
- How NRDA Really Works: Industry and Trustee Perspectives
- Oil Spill Research & Development Projects
- 2002 West Coast Offshore Vessel Traffic Risk Management Project
- Best Industry Practices for Vessels and Tank Barges
- West Coast Oil Spill Financial Responsibility Requirements
- Recommended Contingency Plan Elements
- Places of Refuge Project
- Summary Notes of the Cruise Ship Roundtable

- West Coast Oil Transfer Regulations Table
- Roundtable on Spills from Trucks
- Drills and Exercises Project

2.1.6.8. MOSAC

MOSAC was instrumental in the creation of a \$100,000 to \$200,000 grant program administered by MOSAC, Maine DEP, and the Maine Sea Grant Program. Issues previously identified by MOSAC for research under this program include:

- Spill trajectory and behavior prediction. Special emphasis is placed on:
 - Circulation measurements and modeling in Cobscook, Penobscot, and Casco bays to better predict the 3-dimensional movement of water and associated spilled oil, and
 - Understanding on-water containment and recovery of spilled oil.
- Understanding spill impacts and ecosystem recovery. Special emphasis is placed on:
 - Evaluation of the potential impact of spilled oil on lobsters and *Ascophyllum*, and
 - impact on rocky habitats and beaches.
- Prevention through understanding human factors related to spill accidents.
- Evaluation of the economic impact of oil spills on Maine's coastal resources including tourism.

The Sea Grant Funding program is still in effect and lists a subset of these study objectives for 2006 proposals.

2.1.7. Budget

2.1.7.1. WA OSAC

The following is an initial estimate of budgetary requirements of the Washington Council staff and associated projects. It is calculated based on current budget estimates and the following assumptions. For office space and overhead, it is estimated that it will cost the Washington Council approximately \$26.00 per square foot and a minimum of 1,500 square feet will be required. Subcommittee and TAC budgets are based on information calculated by Council staff. The budget for the committees assumes travel for eight (8) persons attending eight (8) meetings annually split between Seattle and Olympia totaling \$7,500 per committee. The budget for the TACs assumes travel for three (3) persons attending fourteen (14) meetings annually split between Olympia and Seattle with one meeting in Port Angeles. The total per TAC is \$5,000. The amount estimated for independent studies assumes four (4) independent studies approximately \$80,000 each. The public outreach budget is based on the numbers obtained from CIRCAC.

Item	Amount
Executive Director	\$ 90,000

Project Director (1)	\$ 60,000
Project Director (2)	\$ 60,000
Administrative Assistant (1)	\$ 50,000
Office Space / Overhead	\$ 470,000
Assistant AG	\$ 20,000
Travel: Council Meetings	\$ 30,000
Subcommittees (3)	\$ 22,500
TACs (3)	\$ 15,000
Programs	
<i>Public Outreach</i>	\$ 40,000
<i>Independent Studies(4)</i>	\$ 320,000
TOTAL	\$1,177,500

2.1.7.2. PWSRCAC

IN 2005, PWSRCAC had an operated on a budget of approximately \$3,000,000. Of this budget, 70% is dedicated to program services and the remaining 30% is used to provide general administrative supporting services. A brief summary of RCACs cost structure is presented in the table below. A more detailed accounting of the RCACs costs is presented in an appendix.

Cost	Total
Staff	\$ 1,362,965
Overhead	\$ 347,634
Contracting	\$ 878,621
Travel	\$ 370,810
Legal	\$ 59,614

2.1.7.3. CIRCAC

CIRCAC operates on an annual budget of approximately \$800,000. The committee budgets comprise approximately 15% of the total operating expenses. The PROPS committee is budgeted at \$40,000, the PROTOCOL committee is budgeted at \$20,000, and the EMC is budgeted at \$65,000.

Cost	Total
Staff	\$ 377,500
Overhead	\$ 183,800
Contracting	\$ 181,500
Travel	\$ 70,000
Legal	\$ 8,000

2.1.7.4. Sullom Voe

SOTEAG has an annual budget of approximately \$500,000 that is primarily dedicated to monitoring and project work. The budget fluctuates depending on the monitoring activities identified by the SOTEAG board. The budget for 2006 is approximately \$400,000. The SVA may provide additional funding for projects requested by the SVOSAC or the SOTEAG.

SVOSAC does not have an operating budget. Funding is provided by the SVA on an as needed basis to purchase new or replacement oil spill related equipment.

2.1.7.5. CA TAC

The CA TAC relies heavily on the participation and briefings from the respective state agencies and their personnel. There is no budget for the CA TAC, however, CA TAC members are reimbursed for travel to the meetings and provided a stipend of \$100 per day while attending meetings.³² One administrative support person is provided by OSPR to assist in the scheduling of meetings and limited administrative services for the CA TAC.

2.1.7.6. SF HSC

SF HSC member participation is primarily funded by the members' interest groups or the individual members themselves. Travel expenses are reimbursable, however, no other funding is provided through the State of California. Although there is no formal budget, a Secretariat is provided by OSPR to assist the SF HSC.

2.1.7.7. States/BC Task Force

The member governments pay their own way for involvement on the US/BC Task Force. The Task Force members provide funding on a cost-sharing basis for one support contractor, the Task Force Executive Coordinator.

2.1.7.8. MOSAC

MOSAC has been non-functioning for the past couple of years. This is in part attributed to the lack of funding of MOSAC. MOSAC has had a difficult time locating volunteers that are willing and capable of being actively involved in the committee. The committee has no budget, except for a \$55/day stipend. On a limited basis, MOSAC had the ability to retain contractors to support their efforts. A contractor was hired in to address issues related to a major oil spill that occurred in 1996.

3. DIFFERENTIATION OF THE PURPOSE AND CHARGE OF THE WA COUNCIL FROM THE PSHSSC

³² California Code 8670.54(b).

Established in 1997, the Puget Sound Harbor Safety and Security Committee (PSHSSC) is a non-statutory based organization of marine industry and interest groups that focus on improving marine safety in the Puget Sound and Canadian boundary waters. It is comprised of members from the following groups: the Marine Petroleum industry; the Marine Cargo vessel industry; the Marine passenger vessel industry; the Marine towing industry; the Commercial Fishing Industry; the Puget Sound Pilots; the Public Ports of Puget Sound; a non-profit environmental organization that has a focus on marine resources; a labor organization involved with operation of vessels; a recreational boaters organization; the Washington State Ferries; Native American Tribes; the Public at large; and the Aquaculture industry. In addition, there are non-voting members from the United States Coast Guard (COTP Puget Sound); the United States Navy; the National Oceanographic and Atmospheric Administration; the Washington State Department of Ecology; the U.S. Army Corps of Engineers; the Maritime Administration; the States/British Columbia Task Force; and local government.

These members participate in standing committees that address issues related to Administration, Operations, and Seaport Security. The standing committees oversee subcommittees, workgroups and technical advisory committees and brief the full PSHSSC at meetings that are held every other month. There is no budget for the PSHSSC and the members and volunteers pay their own way. The stated purpose of the PSHSSC is to:

- Provide a forum for identifying, assessing and implementing non-regulatory operational and environmental measures that promote safe and efficient use of Puget Sound.
- Develop concepts to promote marine safety improvement efforts;
- Serve as a resource and education network;
- Act as a resource to government bodies on marine issues;
- Promote goals of marine and environmental safety; and
- Use the focus described above to promote safe, efficient, secure and environmentally sound marine transportation in the Puget Sound region.

This is a non-statutory coalition of interest groups that utilize Puget Sound waters and have a vested interest in improving the safety of day-to-day operations. Unlike the Washington Council, the PSHSSC focuses on the prevention of marine accidents as opposed to the Council's charge of preventing oil spills. The PSHSSC, although it has non-voting participation of federal and state regulatory authorities, it was not created to increase public involvement, awareness, and oversight of the State's regulatory activities.

4. OUTREACH AND EDUCATION

The Washington Council has specifically requested that a detailed analysis be conducted upon the outreach and education programs conducted by the various councils and committees identified in the section above. Due to a lack of funding, priority, and/or direction, the majority of the organizations examined do not maintain a public outreach or education program. Public outreach efforts are generally limited to maintaining a basic Internet site and publishing notice of upcoming meetings. Of the various organizations studied in this report, the outreach and

education programs are the strongest for the RCACs in Alaska. For this reason, only the public outreach programs for the RCACs are relevant for further discussion.

Although the budget and size of the programs differ between the two RCACs, they are generally comprised of the same components: internal and external public relations. Internal public relations include maintaining communications with member entities and their constituents. This is done by traveling throughout their respective regions and providing presentations on the purpose and activities of the RCAC. The RCACs also establish a presence by setting up booths at community and trade events where the staffs distribute brochures, RCAC publications, and paraphernalia with the RCACs logo. PWSRCAC has also sought to increase public recognition through the development of a coloring book, and recently through a poetry contest at the Kodiak Whale Festival. The outreach program also includes the creation and distribution of newsletters. PWSRCAC has two newsletters that they distribute: the Observer newsletter and the Sound Approach e-newsletter. CIRCAC produces one newsletter that is distributed electronically in PDF format. PWSRCAC also produces a series of radio educational pieces that present oil spill issues, testimonials about the PWSRCAC, and profiles of members and volunteers. The PWSRCAC also conducts surveys to gauge the public's perception of how the RCAC, industry, and regulatory authority are performing.

PWSRCAC also is developing an educational component of the outreach program in the form of a DVD that will inform students of educational opportunities leading to careers in oil spill prevention, preparedness and response. The outreach program also allows students to participate on the council as junior members for educational purposes. Currently, CIRCAC makes educational presentations to schools demonstrating new tools and technologies developed by CIRCAC or oil spill response organizations (OSROs). However, educational activities of CIRCAC are limited due to budget and staff limitations.

External media affairs include crafting press releases and responding to information requests from for both radio and print media. Periodically, the RCACs write media releases to address the RCAC's position on current issues or to raise public awareness of important issues.

PWSRCAC employs 2 full-time and 1 half-time public outreach staff that administer an annual budget of approximately \$200,000. The full-time positions address internal and external public affairs. The half-time staff person maintains the PWSRCAC internet site. Almost all of the outreach activities are conducted by RCAC staff. Professional services are obtained for the creation of the graphic design and printing of the annual report and the printing of the newsletter.

CIRCAC has one staff member that addresses all public relations. This position administers an annual budget of approximately \$40,000. Website development and annual report printing and graphics are conducted by consultants.